IN THE FIGURES:

Please replace Figure 1 with the replacement sheet submitted herewith. Figure 1, as originally submitted, contained a typographical error. The content server **106** was erroneously labeled **108**. This error is corrected in the replacement sheet submitted herewith.

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed April 3, 2006 ("Office Action"). Figure 1 has been replaced to correct a typographical error. Claims 1, 2, 4, 7, 9, 10, 12, 14-18, 20-22, and 24 have been amended. No new matter has been added. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 101

Claims 1-25 were rejected under 35 U.S.C. § 101 as directed toward non-statutory subject matter. In rejecting the pending claims, the Examiner states on page 3 of the Office Action, "[t]he result of this process is kept within the computer and nothing is done with it." Applicant respectfully disagrees.

Claim 1 is amended to particularly point out the inherent result of executing the applicable content management rule recited in Claim 1. More specifically, embodiments of the invention as recited in Claim 1 operate to "execute said applicable content management rule to affect subsequent content to be viewed by said user." Support for the amendment can be found on page 9, paragraph [0022]. Independent Claims 9 and 17 have been amended to recite similar limitations. Applicant submits that the amended claims produce a useful, concrete, and tangible result and thus are statutory under 35 U.S.C. § 101. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-25 were rejected as being anticipated by U.S. Publication No. US2001/0037361 ("Croy"). The rejections are respectfully traversed.

The standard for "anticipation" is one of fairly strict identity. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), MPEP § 2131. *See also* MPEP 706.02(IV). Thus, unless Croy discloses each and every element set forth in Claims 1-25, Croy does not anticipate Claims 1-25.

Claim 1 recites:

> A software product for dynamically applying content management rules, comprising a set of computer instructions stored on a computer readable medium, executable by a computer processor to:
> receive a user interaction based on a first set of content;
> determine an applicable content management rule to the user interaction based on a state of a rule condition; and
> execute said applicable content management rule to dynamically affect subsequent content to be viewed by said user.

In contrast, Croy appears to disclose methods and systems for executing electronic transactions. The rules with which the invention of Croy is concerned pertain to validating data received from a user via a web-page user interface. For example, paragraph [0044] of Croy recites, "[f]or example, if a form on the web site requires name, zip code, and phone in a format, the rules can check submitted data to ensure that it is properly formatted for submission". The rules appear to provide a way of pre-validating data as to data format for submission to a destination web site where a transaction will occur (*see,* e.g., Croy, paragraphs [0044] - [0046]). In other words, Croy's rules are not content management rules and the execution of Croy's rules does not seem to directly dictate or affect subsequent content to be viewed by the user, as recited in Claims 1, 9, and 17. At least for the foregoing reason, Croy is submitted to be distinguishable from Claims 1, 9, and 17 under 35 U.S.C. § 102. Claims 2-8, 10-16, and 18-25 depend from Claims 1, 9, and 17, respectively, and are therefore patentably distinct from Croy for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-25. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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ANNOTATED SHEET

FIGURE 1